

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CLEVELAND HOWARD,	)	
	)	
Petitioner,	)	
	)	Civil Action No. 12-37 Erie
v.	)	
	)	
ARCHIE B. LONGLEY,	)	
	)	
Respondent.	)	

**MEMORANDUM ORDER**

This habeas corpus action was received by the Clerk of Court on January 31, 2012, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 15], filed on February 4, 2013, recommended that the Petition be denied. The parties were allowed fourteen (14) days from the date of service to file objections. Petitioner filed objections on February 20, 2013. [ECF No. 16]. After de novo review of the documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 22<sup>nd</sup> day of March, 2013;

IT IS HEREBY ORDERED that the Petitioner's Petition for Writ of Habeas Corpus is DENIED.

The Report and Recommendation [ECF No. 15] of Magistrate Judge Baxter, filed on February 4, 2013, is adopted as the opinion of the Court.

The Clerk is directed to mark the case closed.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge